

United States Bankruptcy Court
District of Vermont

**GUIDELINES PERTAINING TO
APPLICATIONS FOR PAYMENT OF UNCLAIMED FUNDS**

The following guidelines apply to all applications for payment of unclaimed funds. To assist in safeguarding against fraudulent claims, all such applications must adhere to these guidelines.

1. Applications for payment of unclaimed funds must be notarized and will only be processed when filed by either the owner of the funds or the owner's duly authorized agent or representative.
2. The notarized application must be accompanied by a proposed order, and must include the following information and/or documentation:
 - a. The debtor's name and case number.
 - b. The exact dollar amount of the dividend check(s) issued by the trustee to the original creditor/claimant and tendered to the Court as unclaimed funds.
 - c. The full name, address, and telephone number of the person or entity that is the original owner of the funds.
 - d. Applicant's daytime telephone number.
 - e. If claimant has moved since the original distribution of funds, list the claimant's address at the time the claim was made.
 - f. Positive identification (copy of the claimant's current driver's license or passport).
 - g. A brief history of the claim from the time of the filing of the original claim to the present, addressing possible reasons (such as change of address, any sale, merger, consolidation, buy-out, dissolution, marriage or death of the original creditor/claimant and relative supporting documentation) for the funds not being deliverable at the time of the initial distribution.
 - h. If applicant is the agent or representative of the owner of the funds, a statement that the owner of the funds has authorized the agent or representative to collect the funds, supported by an original power of attorney containing the notarized signature of the owner of the funds and such grant of authority.
 - i. The Employee Identification Number (EIN) or Social Security Number of the claimant and, if an attorney or funds locator is to be a joint payee, the attorney or funds locator.
 - j. Statement that under penalty of perjury the information being provided is true to the best of the applicant's knowledge, information, and belief.
3. The application must be accompanied by a Certificate of Service indicating the date that notice was given to the U.S. Attorney. The U.S. Attorney has 20 days to object to the application.
4. Upon receipt of the application and proposed order, the Bankruptcy Court's financial specialist will review the motion and supporting documentation for completeness, verify that the requested funds remain on deposit with the Court, and forward the motion to the Judge for final disposition.

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5. A hearing may be held on the application if the Court is doubtful about documentation or if a dispute arises.
6. All checks issued as a result of an application submitted by an attorney or funds locator who has been retained by the claimant or other party entitled to the funds shall be made payable jointly to the applicant and the claimant (or successor in interest to the original claimant). If the application is signed by an individual on behalf of a business entity (e.g. corporation, partnership, etc.), then the check will be issued in the name of the business entity.
7. Any indication of fraud will be referred to the U.S. Attorney.
8. Questions concerning these guidelines should be directed to:

Financial Specialist
U.S. Bankruptcy Court, District of Vermont
PO Box 6648
Rutland, VT 05702-6648

(802) 776-2012 (voice)

(802) 776-2072 (fax)

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